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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

NARGIS NIAZ,) No. C07-4030 MMC
Plaintiff,)
v.)
MICHAEL CHERTOFF, Secretary,) [PROPOSED] ORDER ON
Department of Homeland Security;) DEFENDANTS' MOTION FOR
CONDOLEEZZA RICE, Secretary,) SUMMARY JUDGMENT
Department of State,)
Defendants.)

[PROPOSED] ORDER

Plaintiff asks this Court to compel Defendants to expeditiously process the visa petition she filed on behalf of her husband. However, the U.S. Citizenship and Immigration Services has concluded its action on the matter, and transmitted the approved visa petition to the Department of State. Accordingly, Plaintiff's claims against Defendant Chertoff are now moot. Furthermore, the visa issuing process is not subject to judicial review. Even were the Court able to review the actions of the Department of State's National Visa Center, the petition has been pending for less than two months, and is expected to be processed within the next four months. This time frame is not unreasonable, nor does it warrant issuance of the extraordinary writ of mandamus.

11

Accordingly, the Court hereby GRANTS Defendants' Motion for Summary Judgment. The case is hereby CLOSED.

IT IS SO ORDERED.

Dated:

MAXINE M. CHESNEY
United States District Judge